THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.20512 of 2007

Between:

Laggani Somaiah. … Petitioner

and

The Revenue Divisional Officer and others. … Respondents

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.20512 of 2007

ORDER:

It is the case of the petitioner that his wife owns the land admeasuring Ac.2-00 gts. in Sy.No.338 of Rahimkhanpet Village, Atmakur Mandal, Nalgonda District, and his wife died on 18-01-2006. It is stated that after the death of his wife, one Sri Akula Bikshapathi, who is stated to be the brother of his wife, created one fake Will as if it was executed by his wife. Basing on the said fake Will, the land was mutated in the name of the 3rd respondent and the 3rd respondent is not related to the petitioner.

Admittedly, the petitioner has not stated as to what is the date of the Will and when the land has been mutated in the name of the 3rd respondent. If the 2nd respondent, under the forged Will, mutated the land in the name of the 3rd respondent, the petitioner would have filed an appropriate application for rectification of the entries in the revenue records or in the alternative he ought to have filed an appeal before the Revenue Divisional Officer. But, without taking any recourse as contemplated under the A.P.Rights in Land and Pattedar Pass Books Act, 1971 (for short "the Act"), I am of the opinion that on a general representation and on Advocates Notice, the petitioner is not entitled for any relief as claimed in this writ petition.

Accordingly, the writ petition is dismissed with liberty either to file

appropriate application or appeal, as the case may be, under the provisions of the Act. There shall be no order as to costs.

28-09-2007

Prv